

**MINUTES OF THE REGULAR MEETING OPEN SESSION
ILLINOIS LIQUOR CONTROL COMMISSION**

**Richard J. Daley Center
55 W. Washington St.
Chicago, Illinois 60601**

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**December 14th, 2022
1:00 PM**

Call the Roll:

Chair Berg called the meeting to order at 1:01 p.m.

Present

Melody Spann-Cooper	<i>Commissioner</i>
Thomas Gibbons	<i>Commissioner</i>
Julieta LaMalfa	<i>Commissioner</i>
Pat Pulido-Sanchez	<i>Commissioner</i>
Steven Powell	<i>Commissioner</i>
Brian Sullivan	<i>Commissioner</i>
Cynthia Berg	<i>Chair</i>

ILCC Staff Present:

Lisa Gardner	<i>Executive Director</i>
Les Peterson	<i>Chief Enforcement Officer</i>
Dusanka Marijan	<i>Licensing Administrator</i>
Faheem Murad	<i>I.T.</i>
Noel Quanbeck	<i>General Counsel</i>
Nicole Sanders	<i>Industry Education</i>
Avi Zisook	<i>Legal</i>
Rick Haymaker	<i>Legal</i>
Dean Argiris	<i>Acting Commission Secretary</i>

II. Approval of Minutes

A motion was made by Commissioner Spann-Cooper and seconded by Commissioner Gibbons to approve the minutes of November 16th, 2022 ; the motion passed.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes.
Julieta LaMalfa	Yes	Brian Sullivan	Yes
Pat Pulido-Sanchez	Yes	Steven Powell	Yes
Cynthia Berg	Yes		

III. Executive Director's Report

Fiscal

The Illinois Liquor Control Commission totaled \$402,080 in revenue for November with 82% coming from licensing and 18% coming from enforcement.

Human Resources

We are prepared to post eight (8) enforcement trainee positions and we are in the process of scheduling interviews for the paralegal and legislative liaison positions.

Additionally, a licensing assistant position has been posted on the CMS “IllinoisJobs” website and individuals can continue to apply until December 19th and CMS is in the process of reviewing the language for the open Executive I – Enforcement position.

Licensing

Currently, there are 31,138 active licenses throughout the state and 2,524 total licenses were issued in the month of November. Of those 2,524 licenses, 326 of those are new licenses, signifying a 67% increase in new licenses from November of last year.

We issued 3,577 special event permits year-to-date.

For the ILCC Delinquency list, 737 retail licensees were reported delinquent and 793 delinquencies were cured. These figures include rollovers from the previous month.

IT has begun the development and programming for online submissions of new retail licenses applications, it is still in the developmental phase, but the ILCC looks forward to having it implemented in the near future.

Enforcement

The ILCC’s enforcement division conducted 551 inspections, discovered 297 violations. 56 of these inspections were pre-licensing inspections.

Enforcement reports that the most common violations found were: 1.) Personnel not being BASSET certified, 2.) Pregnancy warning signs not being properly displayed, 3.) State Liquor License not being properly displayed, 4.) tax certificates not being available, and 5.) Pre-mixed cocktails not being disposed of weekly.

Our office received 78 complaints in November through our normal channels with the most common complaints being 1.) sale of alcohol to minors, 2.) operating without a license, and 3.) retail-to-retail sale of alcohol.

The ILCC, in partnership with the Peoria Police Department, conducted an Underage Compliance detail. 14 establishments were checked and one failed.

Legal

The legal division currently has 84 cases pending and closed 67 cases in November.

41 Pre-Disciplinary Conference cases are in the pipeline with legal and 21 were conducted for the month of November.

We have 15 sale-of-alcohol to minor cases pending before the Commission, 14 are first-time offenders.

22 appeals cases are also pending before the Commission, not counting cases that are up for Administrative Review.

Industry Education

We had a 94% attendance rate for our College Town Summit.

6,572 BASSET trainings occurred in the month of November.

IV. Partner Presentations

Samantha Gallagher-Gannon from the Alliance Against Intoxication Motorists (AIMM) briefed the Commission on the organization's mission, work, and educated the public on the risks of both texting and driving, as well as drinking and driving.

Commissioner Pulido-Sanchez commented that the statistic which indicates that a driver remains distracted for 20 seconds after texting and driving was powerful.

Additionally, Commissioner Pulido-Sanchez asked what about texting and driving causes the distraction. Samantha Gallagher-Gannon responded that it is a cognitive distraction and that your attention is focused on the messages and not the driving.

V. Public Comment

No public comment was given.

VI. Executive Session

Commissioner Powell made a motion to move the ILCC into Executive Session at 1:21 p.m.. This motion was seconded by Commission Pulido-Sanchez.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Julieta LaMalfa	Yes	Brian Sullivan	Yes
Pat Pulido-Sanchez	Yes	Steven Powell	Yes
Cynthia Berg	Yes		

VII. Regular Session

The Commission moved back into regular session at 2:13 p.m.

Present

Thomas Gibbons	<i>Commissioner</i>
Julieta LaMalfa	<i>Commissioner</i>
Pat Pulido-Sanchez	<i>Commissioner</i>
Steven Powell	<i>Commissioner</i>
Melody Spann-Cooper	<i>Commissioner</i>
Brian Sullivan	<i>Commissioner</i>
Cynthia Berg	<i>Chair</i>

VIII. Appeals

In the matter of *21 APP 15 (The Gathering, Inc. v. Rock Island)*, Commissioner Powell made a motion to affirm the decision of the Local Liquor Control Commission. Commissioner Pulido-Sanchez seconded the motion.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Julieta LaMalfa	Yes	Brian Sullivan	Yes
Pat Pulido-Sanchez	Yes	Steven Powell	Yes
Cynthia Berg	Yes		

A motion was made by Commission Spann-Cooper and seconded by Commissioner Gibbons to modify the decision of the Local Liquor Control Commission by removing the \$700 fine, in the case of 22 APP 03 (*17 North, LLC v. Waukegan*).

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Julieta LaMalfa	Yes	Brian Sullivan	Yes
Pat Pulido-Sanchez	Yes	Steven Powell	Yes
Cynthia Berg	Yes		

In the case of 22 APP 04 (*2635 Wabash v. Lynwood*), Commissioner Powell made a motion to reverse the decision of the locals. Commissioner Pulido-Sanchez seconded the motion.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Julieta LaMalfa	Yes	Brian Sullivan	Yes
Pat Pulido-Sanchez	Yes	Steven Powell	Yes
Cynthia Berg	Yes		

Commissioner Powell made a motion to affirm the decision of the local commission, in the case of 22 APP 05 (*Phantom v. Champaign*). Commissioner Sullivan seconded the motion.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Julieta LaMalfa	Yes	Brian Sullivan	Yes
Pat Pulido-Sanchez	Yes	Steven Powell	Yes
Cynthia Berg	Yes		

A motion was made by Commissioner Powell to dismiss the case of 22 APP 14 (*Anjani Cal City Liquors & Food v. the City of Calumet*). Commissioner Spann-Cooper seconded the motion. The motion passed unanimously.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Julieta LaMalfa	Yes	Brian Sullivan	Yes
Pat Pulido-Sanchez	Yes	Steven Powell	Yes
Cynthia Berg	Yes		

IX. Tax Cases

23-SR-0007 – *El Porto Incorporated*, 23-SR-0008 – *Lincoln Square Tavern, Inc.*
23-SR-0012 – *The Ditch Bar & Grill, LLC*, 23-SR-0014 – *Adams Saloon*, and
23-SR-0017 – *JT Racing, LLC dba Adams County, IL Speedway*

A motion was made to revoke the licenses with immediate effect, by Commissioner Powell and seconded by Commissioner LaMalfa. The motion passed unanimously.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Julieta LaMalfa	Yes	Brian Sullivan	Yes
Pat Pulido-Sanchez	Yes	Steven Powell	Yes
Cynthia Berg	Yes		

X. Comments from the Board

No comments from the board were made.

XI. Closing Remarks and Adjournment to Hearing

Commissioner Powell made a motion to adjourn and was seconded by Commissioner Sullivan.

Thomas Gibbons	Yes	Melody Spann-Cooper	Yes
Julieta LaMalfa	Yes	Brian Sullivan	Yes
Pat Pulido-Sanchez	Yes	Steven Powell	Yes
Cynthia Berg	Yes		

The meeting adjourned at 2:18 p.m. CST.

ATTEST:

/S/ Dean Argiris, Acting Commission Secretary
